



THE SECRETARY OF THE NAVY
WASHINGTON, D.C. 20350-1000

5 September 2007

From: Secretary of the Navy
To: Colonel S. W. Davis, U.S. Marine Corps

Subj: SECRETARIAL LETTER OF CENSURE

Ref: (a) Army Regulation 15-6 Investigation of Events in
Haditha, Iraq on 19 November 2005 (MG
Bargewell AR 15-6) dtd 15 June 2006 and
Forwarding Endorsements
(b) The Naval Criminal Investigative Service's
Reports of Investigation Concerning the Haditha
Incident from 12 April 2006 to 25 June 2007
(c) Marine Corps Order 3300.4
(d) JAGMAN 0114b

Encl: (1) Acknowledgement of Secretarial Letter of Censure

1. References (a) and (b) constitute a thorough examination of the facts and circumstances surrounding the deaths of 24 Iraqis in Haditha, Iraq on 19 November 2005, and subsequent reporting and investigation of the incident. These investigations established that a squad of Marines from 3rd Battalion, 1st Marine Regiment killed 24 civilians - including women and children - following an IED attack in Haditha Iraq.

2. Command is a sacred trust. The responsibilities of command include ensuring that the men and women of your command understand their mission, the rules governing use of force and the nature of the conflict they face. Those responsibilities also include investigating significant operational incidents immediately after they occur and reporting the facts of such incidents accurately to higher headquarters. References (a) and (b) raise troubling concerns over your leadership and response to the Haditha incident during your tenure as Commanding Officer, Regimental Combat Team 2.

3. Despite the high number of civilian deaths in Haditha, subsequent inquiries about the nature of the incident from the news media and higher headquarters, and the likely counterproductive effect those deaths would have on your mission, you failed to ensure that the circumstances surrounding the Haditha engagement were investigated thoroughly. This should have been ordered at least to ensure that the use of

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deadly force was in compliance with established rules of engagement, the law of armed conflict and commander's intent. Specifically, you approved an unusually large Commander's Emergency Response Program payment of \$38,000 to the victims' families, yet failed to recognize the seriousness of this incident and direct an adequate investigation. Even when made aware of the serious allegations raised by the Time Magazine journalist, your response to higher headquarters was to forward incomplete, inaccurate, and inconsistent materials provided by a subordinate unit, rather than to initiate a thorough inquiry into the incident. Your inadequate response to this incident demonstrated a lack of diligence to your responsibilities under reference (c) to investigate possible, suspected, or alleged violations of the law of war. Further, your actions suggest a lack of appreciation for the principles of counterinsurgency operations, specifically the importance of gaining the support of the civilian populace in accomplishing the mission.

4. In determining appropriate action in light of references (a) and (b), I have carefully considered and given great weight to your overall service as a Marine. Your performance of duty to this point had been one of competence and effectiveness, culminating in your assignment as Commanding Officer, Regimental Combat Team 2. Your actions following the Haditha incident betrayed the great trust placed in you by that assignment. Accordingly, you are hereby censured and a copy of this letter will be placed in your official service record in accordance with reference (d).

5. You shall acknowledge receipt of this letter within 5 days via enclosure (1) to the Commandant of the Marine Corps. Additionally, you may forward within 15 days of receipt of this letter a rebuttal via the chain of command, consistent with reference (d), for inclusion in your official record, if you so desire.



Donald C. Winter



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From: Secretary of the Navy
To: Major General R. A. Huck, U.S. Marine Corps

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2. Command is a sacred trust. The responsibilities of command include ensuring that the men and women of your command understand their mission, the rules governing use of force and the nature of the conflict they face. Those responsibilities also include investigating significant operational incidents immediately after they occur and reporting the facts of such incidents accurately to higher headquarters. References (a) and (b) raise troubling concerns over your leadership and response to the Haditha incident during your tenure as the Commanding General, 2d Marine Division and, later, as the Commanding General, Multinational Force West (MNF-West).

3. Despite the high number of civilian deaths in Haditha, subsequent inquiries about the nature of the incident from the news media and your commander, and the likely counterproductive effect those deaths would have on your mission, you failed to ensure that the circumstances surrounding the Haditha engagement were investigated thoroughly. This should have been ordered at

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least to ensure that the use of deadly force was in compliance with established rules of engagement, the law of armed conflict and your commander's intent. Your advice to your immediate commander, Lieutenant General Chiarelli, regarding no necessity for further investigation conveyed a cavalier attitude towards the gravity of these allegations. Further, your inadequate response to this incident demonstrated a lack of diligence to your responsibilities under reference (c) to investigate possible, suspected, or alleged violations of the law of war. Your actions, and those of your immediate staff, call into question the adequacy of the command climate you established with respect to law of armed conflict compliance, and suggest a lack of appreciation for the principles of counterinsurgency operations, specifically the importance of gaining the support of the civilian populace in accomplishing the mission.

4. In determining appropriate action in light of references (a) and (b), I have carefully considered and given great weight to your overall service as a Marine. Your performance of duty to this point had been one of competence and effectiveness, culminating in your assignment as Commanding General, 2d Marine Division, and later as Commanding General, II Marine Expeditionary Force (Forward)/MNF-West. Your actions following the Haditha incident betrayed the great trust placed in you by those assignments. Accordingly, you are hereby censured and a copy of this letter will be placed in your official service record in accordance with reference (d).

5. You shall acknowledge receipt of this letter within 5 days via enclosure (1) to the Commandant of the Marine Corps. Additionally, you may forward within 15 days of receipt of this letter a rebuttal via the chain of command, consistent with reference (d), for inclusion in your official record, if you so desire.



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From: Secretary of the Navy
To: (b) (6), U.S. Marine Corps

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2. Leadership is a sacred trust. The responsibilities of leadership include ensuring that the men and women within the command understand their mission, the rules governing use of force and the nature of the conflict they face. Those responsibilities also include investigating significant operational incidents immediately after they occur and reporting the facts of such incidents accurately to higher headquarters. References (a) and (b) raise troubling concerns over your leadership and response to the Haditha incident during your tenure as Chief of Staff, 2d Marine Division and later, as Chief of Staff, Multinational Force West (MNF-West).

3. As Chief of Staff, you were charged with supporting your commanding general with all of the responsibilities of command. Despite the high number of civilian deaths in Haditha, subsequent inquiries about the nature of the incident from the news media, and the likely counterproductive effect those deaths would have on your mission, you failed to ensure that the

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circumstances surrounding the Haditha engagement were investigated thoroughly. This should have been ordered at least to ensure that the use of deadly force was in compliance with established rules of engagement, the law of armed conflict and commander's intent. Further, you approved a false press release and failed to follow up on the implications raised by inconsistencies between the operational reports and the press release. Your actions suggest a lack of appreciation for the principles of counterinsurgency operations, specifically the importance of gaining the support of the civilian populace in accomplishing the mission. Further, by withholding information concerning media inquiries about the Haditha engagement from your commanding general, you undermined the chain of command's ability to respond to this incident. Your inadequate response to this incident also demonstrated a lack of diligence to your responsibilities under reference (c) to investigate possible, suspected, or alleged violations of the law of war.

4. In determining appropriate action in light of references (a) and (b), I have carefully considered and given great weight to your overall service as a Marine. Your performance of duty to this point had been one of competence and effectiveness, culminating in your assignment as Chief of Staff, 2d Marine Division, and later as Chief of Staff, MNF-West. Your actions following the Haditha incident betrayed the great trust placed in you by those assignments. Accordingly, you are hereby censured and a copy of this letter will be placed in your official service record in accordance with reference (d).

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